

MINUTES

317th Meeting Contractors' Registration and Licensing Board March 2, 2016

1. The meeting began with the pledge of allegiance to the flag of the United States of

America, led by: George Whalen.

**2. The meeting was called to order by the Chairman, Edgar Ladouceur, at
12:40 PM.**

3. Approval of the agenda and order of business was accepted on a motion by Mr. Eric Wishart and second by Mr. David Caldwell.

**4. The minutes of the 316th meeting, February 10, 2016, were approved on a motion
by Mr. David Caldwell and seconded by Ms. Carol O'Donnell.**

5. Review of pending issues with Code Officials from Rhode Building Officials

Association; Brad Ward, the Building Official from Hopkinton, informed the board

members regarding the education seminar that the Building

Officials Association

conducted on February 26, 2016 and his concerns with the sign in sheet

provided for that seminar. The process he felt needed to be streamlined and maybe a

scanning system utilized in the future to keep track of class attendance. The

Executive Director explained that the Building Officials Association is not an

Approved Provider and that the classes were approved based on the Builders

Association being the Approved Provider and that both Associations would need to

work together in the future to try and resolve this matter. In that this was the first

time this was done there will need to be better communication and a more

systematic approach to get this running smoother. A new hand held ticket device

was presented to the Board as a result of a vender attending the seminar. E-

Permitting was also discussed with hopes of going live by the end of the month.

6. Court Case Update: February 2016

February 2016 - Funds Received Via CRB:

Contractor Claim/File Fines Restitution

J. Padin 6837 - \$525 (paid in full)

J. Pearson 7186 - \$250 (payment plan)

J. Ribeiro 7500 - \$10 (payment plan)

J. Ribeiro 7050 - \$10 (payment plan)

J. Ribeiro 7478 - \$10 (payment plan)

J. Ribeiro 7499 - \$10 (payment plan)

M. Taylor 8132 - \$600 (paid in full)

M. Taylor 8138 - \$400 (paid in full)

M. Cosek 8350 - \$1,000 (paid in full)

A. Russell 8466 - \$250 (payment plan)

A. Russell 8508 - \$250 (payment plan)

J. Keating 8714 - \$2,025 (paid in full)

R. Brierley 8716 - \$850 (paid in full)

C. Coelho 8719 - \$5,450 (paid in full)

L. Cook 8726 - \$525 (paid in full)

TOTALS: \$ 0.00 \$ 12,165.00_____

Upcoming/Recent court dates:

- 02/09/16- Micah Cosek, Claim # 8350, 61-2015-11778, paid remaining \$1,000 outstanding to homeowner; case dismissed**
- 02/11/16 – Trial– Norberto Emanuel (61-15-07894/ cl 7588 and NRB 7989(1); civil judgement entered**

- 03/01/16-PTC- David Petrucci (61-2016-00171) to pay remaining \$4,000 to homeowner at this court date to have case dismissed
- 03/02/16- Trial- Dan Saffer, 61-2015-11780
- 03/07/16-PTC- Francis Martin, Claims # 8394, 8416, 8417, 61-2016-01566
- 03/08/16-PTC- Joseph Forte, 61-15-02933
- 03/16/16- Arraignments: Barry LaFleur, Donald Marcotte
- 03/16/16-PTC- Christopher Sarault, Claim #7192, 61-2016-01567
- 03/23/16- PTC- Matthew Warhurst, Claim # 8379, 61-2016-01565
- 04/25/16-PTC- Yazmarelis Cepeda, 61-2015-09241, on appeal P3-2016-0286A

Outstanding Warrants:

- Joshua Genereux (61-15-04113 and 61-15-04097) (1) 11 Reservoir Ave, Manville RI; (2) 2327 Putnam Pike, Chepachet RI; (3) 147 Sayles Street, Woonsocket RI
- Otto De Jesus Mendoza Lopez, 121 Bradford St., Bristol RI 02809 (61-2014-06804)
- Olksiy Dubovy (1) 160 Pidge Avenue (2) P.O. Box 5521, Pawtucket, RI 02861
- Anthony Piccirilli (Found Guilty – 61-15-01087, Appealed to Superior Court – now P3-2015-1091A) (claim 8177)

Administrative Appeals: Stephen Colucci/Colucci Brothers v. CRB

7. Consideration of Motions: None this month.

8. Consideration of Cases on Appeal and Oral Argument: None

9. Consideration of Request for Expungement: None

10. Education: Review of all applications received and courses submitted for

Approval: None; however the Board did review the letter sent out to Registrants for

the April renewal cycle and approved the language modification made as a suggestion

from a Board member last month.

11. Report of the Executive Director and Staff:

(1) Statistics Report: 03/02/2016

Registrations:

Number of Registered Contractors 11672

Number of Cards Surrendered 4797

Number of Cards Expired/Lapsed 10374 Number of Cards Invalidated 1728

Number of Cards Suspended 515

Number of Cards Revoked 128

Registration Actions

Number of New Registered Contractors	47	
Number of Renewed Contractors	11625	
Number of Cards Surrendered	26	
Registrations Invalidated	0	
Registrations Suspended	8	
Registrations Revoked	0	
Claims:		
Administrative Appeals	2	
Board Appeals	0	
Address Traces		93
	Court	
	588	
Awaiting Further Action		29
Disposed		266
Final Orders	34	
Hearings	34	
Out of State Services	8	
Proposed Orders	148	
Under Investigation		133
Total Claims Filed with the Board	8299	
Number of New Claims Processed	15	
Total Disposed Claims to date		7172

Violations:

Action Against Registration	51	
Advertising	3	
Cancelled Insurance		1403
Notice of Hearing	3	
Non-Registered Contractor		
953		
TOTAL RECORDS	2441	

Number of New Violations **50**

Lapsed Registrations/Never Re-Newed:

January	2015
41	
February	2015
56	
March	2015
70	
April	2015
83	
May	2015
59	
June	2015

72		
	July	2015
55		
	August	2015
62		
	September	2015
54		
	October	2015
75		
	November	2015
81		
	December	2015
69		
	January	2016
92		
	February	2016
110		

Month	# Tickets Issued
Fines	

January 2015	3
\$1,250.00	
February 2015	1
\$ 500.00	
March 2015	1

\$ 250.00	
April 2015	3
\$2,250.00	
May	1
\$ 250.00	
June	3
\$ 750.00	
July	6
\$3,000.00	
August	1
\$ 250.00	
September	0
October	2
\$ 600.00	
November	2
\$ 750.00	
December	1
\$ 1,000.00	
January	0
\$.00	
February	2
\$500.00	

Commercial Roofers:

Number of Registered Roofers

143

Number of New Registered Contractors 0

Number of Renewed Roofer Contractors 143

Number of Cards Surrendered 26

Number of Expired/Lapsed 82 Registrations Invalidated 1

Registrations Suspended 0

Registrations Revoked 0

12. Old Business:

(1.) Regulations, laws and standards were the topic of discussion and were reviewed by the Board. Upon review it was determined that we would continue to go forward with subcommittee meetings on Home Inspectors which has another meeting scheduled for March 17, 2016 at 1:00 PM. We are hoping to complete or have just one more meeting regarding these rules and regulations and be able to present to the Board at the next meeting in April. The Well Drillers and Pump Installers are next and with possible legislation on filtration being presented hope to start on these upon completion of Home Inspectors regulations.

13. New Business:

Board Member: The Board requested that the Executive Director send a letter to the Governor's office for a new appointment to that position in light of the fact that these new rules and regulations are being

developed it would be nice to have two members provide input to the regulations.

Budget: Will continue to review the budget as to need to increase registration fees for fiscal year 2017.

Computer Program Update: We are currently testing the system and still finding some bugs that need to be worked out. We are progressing but with staff shortages it has been a very slow process.

Positions: A new posting will be issued for the Enforcement Aide position and the Sr. State Official Position was also put into the system again with hopes of moving this matter forward for interviews soon.

Legislation: A number of bills were submitted and discussed. The Board took the following action or current status on bills:

H-7085 Matter in committee held for further study.

H-7402 Board members to attend hearing on this bill today in support.

H-7403 Board members to attend hearing on this bill today in support.

H-7253 & S-2163 Matter in committee held for further study.

H-7305 Matter in committee held for further study.

S-2213 A motion was made by Tom Furey and seconded by Edgar Ladouceur to support this legislation. Motion carried unanimously.

Education Sub-Committee: No meetings to review courses were scheduled in light of the fact that no new providers have applied or new courses were submitted. Letter were sent out for April renewals and process will begin on April 1, 2016 to require continuing education for the next renewal cycle 2018.

Retention Schedule: The Board tabled this matter and the Executive Director would like to see this modification made after all the new rules and regulations have been established so it doesn't have to be modified after each change.

Licensing: Discussion as to moving onto licensing of contractors in the near future. Board wants to keep this on the agenda to continue this discussion each month as time permits as to steps necessary. A legislative study commission may be a measure to get better input and review and to bring all the parties to the table and the Chair will be looking into the feasibility of starting that process.

Web-site: A suggestion was made by several board members to include on our web site and maybe the State Building Codes web-site

the current codes in effect. The executive director followed up on that matter and our website does reflect the codes and this year when they change it will be updated accordingly.

Prosecution: The Board wants the Executive Director to look into the feasibility of hiring a third party collection agency to retrieve fines assessed by the Board.

Request to visit: An email was received from Nairobi Kenya from the National Construction Authority to possibly visit Rhode Island and the Contractors' Registration and Licensing Board. It would be a three day visit for four people to see how the Board operates and what our registration and licensing process as well as dispute resolution process entails. A motion was made by Tom Furey and seconded by Carol O'Donnell to support this and was passed unanimously. The Executive Director will look further into this and discuss with Administration regarding feasibility.

Safety Month of May: The Board would like to establish a proclamation regarding safety month of May to address the critical issues of safety, energy efficiency, water conservation and resilience in the built environment that affect our citizens every day. A motion was made by Tom Furey and seconded by David Caldwell to proceed to do this and put it on the Boards website. Motion carried unanimously.

14. Public Comment: Linda Sherman put forth to the Board concerns regarding her recent filing of a claim and the process of investigation provided by the board's staff. This item was moved up on the schedule by the Chairman again this month so she could present her concerns again but the Chair limited the presentation to ten minutes. Ms. Sherman expressed concerns about not being allowed to discuss her claim and what process the Board was taking in reviewing and investigating her contractor. She had concerns but as explained by the Chair her case had been dismissed by the Board in that it was better suited for court. She continued to talk about the claim but the Chair informed her that they had already heard that matter and to express other concerns if she had any. After listening to her for more than the ten minutes allotted the Chair said that they had to move onto the other pending items on the agenda. Legal counsel for the Board will be providing members with information regarding public comment as stipulated in the Open Meetings Law so they can review or establish a policy if they wish to, otherwise will keep it open to the discretion of the Chair.

15. Announcements: The next Board meeting will be held on Wednesday, April 13,
2016 at 12:30 PM, Conference Room "A" 2nd Floor; One Capitol Hill, Providence,
Rhode Island.

16. Adjournment: A motion was made by David Caldwell and seconded by Paul Brunetti to adjourn the meeting at 2:30 PM.

Members Present: Edgar Ladouceur, Paul Brunetti, Tom Furey, Michael Fox, Annette Stockley, Carol O'Donnell, David Caldwell, Eric Wishart, Ron Caniglia, Mathew Olson and Martin Ezeama.

Members Absent: William Geddes, Tony Raposo, Kimberly Wooten (resigned), Alfred Decorte Carol Ann Nelson and J.L.Brillon.

Others Present: George Whalen (Executive Director), Attorney Mariana Ormonde, Brad Ward and parties for public comment and staff.

Respectfully Submitted,

George W. Whalen

**Executive Director Rhode Island Contractors' Registration and
Licensing Board**